

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: KRUER, Thomas R.; THOMPSON, Hugh A.

SERIAL NO.:

FILED: Herewith

TITLE: PROCESS FOR A UNITIZED MAT TO FACILITATE GROWING PLANTS

REMARKS ON PRELIMINARY AMENDMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In this preliminary amendment, please consider the following remarks in conjunction with the amendments to the above-identified application as follows:

REMARKS

The present Preliminary Amendment has been entered for the purpose of placing the divisional application into a more proper U.S. format. In particular, the proper title and related U.S. applications have been included in the specification. Also, the claims have been amended so as to cancel the non-elected apparatus claims in the present divisional application. No new matter has been added by these amendments.

In the Office Action of February 4, 2004 of the parent nonprovisional application, U.S. Serial No. 10/439,416, a restriction requirement was identified regarding the apparatus claims and the process claims. In the '416 application, the Applicant elected the apparatus claims and preserved rights to the process claims by a divisional application. The present application is the divisional

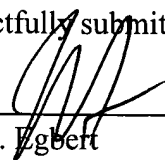
application to preserve the process claims. As such, Claims 1-28 and 38-41 have been canceled. The process Claims 29-37 remain pending in the present divisional application.

Applicant further requests for copies of documents in the parent '416 application be provided for use in the present divisional application, such as the Declaration and Power of Attorney form.

Applicant respectfully requests that the present Preliminary Amendment be entered prior to an initial Official Action on the present application.

3.24.04
Date

Respectfully submitted,



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